

## MINUTES

### MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION SUBCOMMITTEE ON ENERGY AND TELECOMMUNICATIONS

**Call to Order:** By **VICE CHAIRMAN ROYAL JOHNSON**, on February 5, 2001 at 7:00 A.M., in Room 317-B Capitol.

#### ROLL CALL

**Members Present:**

Sen. Royal Johnson, Chairman (R)  
Sen. Don Ryan (D)  
Sen. Tom Zook (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Todd Everts, Legislative Branch  
Melissa Rasmussen, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Discussion on SB 243

**CHAIRMAN ROYAL JOHNSON** opened discussion on **SB024304** amendments, **EXHIBIT (ens29a01)**. The committee specifically addressed amendments 20-23. **Todd Everts** reminded the committee that they had previously discussed amendments 20-23 at length on Saturday, February 3, 2001.

**SENATOR TOM ZOOK** asked what was meant by the language, "this service can be provided to an affiliated transmission services provider" (exhibit 1)? **Mr. Everts** explained that it was emergency service. **Pat Corcoran, Montana Power Company (MPC)**, added that the emergency service was provided by the MPC's transmission business unit.

**SENATOR DON RYAN** asked if the sixty days for determining an emergency was still necessary? **Ken Morrison, Pacific Power and Light (PPL)**, said those amendments were already in at this point.

**Motion/Vote:** SEN. JOHNSON moved that 20, 21, 22, 23 AMENDMENTS ON SB024304 BE ADOPTED. Motion carried 3-0.

**Mr. Everts** stated that amendment 24 has PPL and MPC striking out the same language and having MPC insert new language. **Mr. Corcoran** asserted the reason MPC added this language was to maintain the original electricity supply and continue modification. **Mr. Morrison** questioned if the amendment addressed the issue of supply, was it necessary to repeat the language regarding cost? **Mr. Corcoran** admitted there was some overlapping occurring in the language.

**Motion/Vote:** SEN. JOHNSON moved that AMENDMENT 24, LEAVING OUT SECTION B ON 04 BE ADOPTED. Motion carried 3-0.

There was no discussion on amendment 25

**Motion/Vote:** SEN. JOHNSON moved that AMENDMENT 25 BE ADOPTED. Motion carried 3-0.

There was no discussion on amendment 26

**Motion/Vote:** SEN. JOHNSON moved that AMENDMENT 26 BE ADOPTED. Motion carried 3-0.

There was no discussion on amendment 28

**Motion/Vote:** SEN. JOHNSON moved that AMENDMENT 28 BE ADOPTED. Motion carried 3-0.

**Dennis Lopach**, Northwest Corporation (NWC), commented that he was concerned that a small customer who goes to choice cannot come back for the remainder of the transition period. It was his understanding that that was not the intent of the discussion. **CHAIRMAN JOHNSON** asked if **Mr. Lopach** was referring to a customer who had chosen to opt in? **Mr. Lopach** clarified that it was referring to the school district, trying to make the customer not feel stuck. **Mr. Evert** said he would check the language when he went through the amendments to make sure that the language did not exclude anyone.

**SENATOR RYAN** asked if the committee had taken action on SB024302 amendments, **EXHIBIT**(ens29a02)? **Mr. Everts** informed the committee that no action had been taken on the 02 amendments.

**Motion/Vote:** SEN. JOHNSON moved that 02 AMENDMENTS BE ADOPTED. Motion failed 1-2 with Ryan voting aye.

**Mr. Corcoran** added that the default supplier was not required to have the 5% because that should happen through the bid process. MPC said they would work with the Public Service Commission to figure out the role of the default supply service. **CHAIRMAN JOHNSON** asked if it would cause an increase in prices? **Mr. Corcoran** said that it would increase the average cost.

**ADJOURNMENT**

Adjournment: 7:25 A.M.

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SEN. ROYAL JOHNSON, Chairman

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MELISSA RASMUSSEN, Secretary

MC/MP

**EXHIBIT (ens29aad)**